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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 09/580,808
Filing Date: May 26, 2000
Appellant(s): SEZAN ET AL.

_____
KURT ROHLFS
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 03/10/08 appealing from the Office action

mailed 10/05/07.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,594,699	SAHAI ET AL	7-2003
6,637,029	MAISSEL ET AL	10-2003
6,542,546	VETRO ET AL.	4-2003

6,470,378	TRACTON ET AL.	10-2002
6,865,746	HERRINGTON ET AL.	3-2005
6,055,569	O'BRIEN ET AL.	4-2000
5,956,037	OSAWA ET AL.	9-1999

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

A1.   Claims 61-70, 72 are rejected under 35 U.S.C. 102(e) as being anticipated by **Maissel et al (6,637,029).**

As to claims 61, note the **Maissel** reference figures 1-3, discloses a subscriber unit for receiving a program schedule, a profile storage unit for storing at least viewer preference, etc., and further discloses a storage medium selectively detachably insertable (Apparatus 160, e.g., a diskette or smart card, col.14, line 54-col.15, line 17) into a recording device (Apparatus-1 comprising: 110/100/120/130/140/VCR, DVCR, DVD, etc coupled to each other) suitable to record at least one of audio and video comprising a plurality of frames, the storage medium (Apparatus 160) storing information comprising:

A preferences description, describing preferences of a user with respect to the use of said at least one of audio and video, where the description includes multiple attributes (figs.1-2, col.12, line 16-col.14, line 53); and a time attribute of preferences description describing at least one of: a first time to start obtaining the at least one of audio and video prior to the scheduled time of the at least one of audio and video; and a

second time to end obtaining the at least one of audio and video after the schedule time

of the at least one of audio and video (col.12, line 16-col.14, line 53); and

where the storage medium (160, Diskette or Smart Card, col.14, line 54-col.15,

line 16) interacts with the recording device Unit 110, fig.1, col.10, line 22-62) when

inserted in the storage medium to obtain the at least one of an audio and a video

(col.19, line 1-15 and col.20, line 7-17, line 60-col.21, line 64), note that storage 160

customizes viewer preferences (based upon a user's request, extracted viewing

information, etc.,), which includes time to obtain one of audio and video (additional or

related materials, e.g., previews, EPG, material which might help clarify to the user, etc.,

of the audio and video) prior schedule time of the at least one audio and video.

As to claim 62-66, Maissel further discloses where the scheduled time is the time

period of at least one of audio program and video program, where the first time is

selected based upon the content of at least one of audio program and a video program,

where the second time is selected based upon the content of the at least one of audio

and a video program and where the content is described in the preferences description

(col.12, line 16-col.13, line 1+, col.19, line 1-19, col.20, line 7-17, line 45-col.21, line 3

and line 30+).

Claims 67-70 are met as previously discussed with respect to claims 62-66.

As to claim 72, Maissel further disclose where the type includes sitcoms (col.11,

line 30-37 and col.20, line 45-59).

A2.   Claims 71, 108-118 are rejected under 35 U.S.C. 103(a) as being

unpatentable over **Maissel et al (6,637,029** in view of **Herrington et al (6,865,746).**

As to claim 71, Maissel teaches all the claimed limitations as previously

discussed with respect to claim 68 above, but fails to teach where the type of programs

includes sports programs.

However, note the **Herrington** reference figures 1-2, discloses a system for

providing user preference to TV programs where the preferences description with

respect to various programs including, sports, episodes of the program (figs.3-7, col.5,

lines 50-61 and col.7, line 7-12).

Therefore it would have been obvious to one of ordinary skilled in the art at the

time of the invention to incorporate the teaching of Herrington into the system of Maissel

to provide user preferences to specific types of programs, such as sports, episodes,

etc., to meet the user desire. Further note that this is just a type of data and this is

obvious in view of the fact that the type of data is not a critical element of the invention.

As to claims 108-118, note the **Maissel** reference figures 1-3, discloses a

subscriber unit for receiving a program schedule, a profile storage unit for storing at

least viewer preference, etc., and further discloses a method of using a system with at

least one of an audio and a video comprising a plurality of frames comprising:

Providing a preferences description, on a storage medium detachably insertable

(160, Diskette or Smart Card, col.14, line 54-col.15, line 16) into a multimedia device

(Unit 110, fig.1, col.10, line 22-62), the preferences description describing preferences

of a user with respect to the use of the at least one of audio and video, where the description includes multiple attributes (col.12, line 16-col.14, line 53).

Maissel provides customizes schedule based on a user preferences which includes starting/ending date, starting/ending time, etc., and where the select programs are recorded in the local storage 110 (col.11, lines 7-37 and col.14, lines 10-19), but silent to providing a creation attribute of the preferences with respect to the creation date of at least one of audio and video, where the date refers to the original creation date of at least one of audio video, where the creation date refers to the re-mastering date of the at least one of audio and video programs and where the creation date is used to select among a plurality of at least one audio and video programs.

However, note the **Herrington** reference figures 1-2, discloses a system for providing user preference to TV programs where the preferences description describes the production year of program, and its used to select a desired number of episodes among a plurality of episodes of the program (figs.3-7, col.6, line 17-38, col.7, line 38-53 and col.10, line 15-28).

Therefore it would have been obvious to one of ordinary skilled in the art at the time of the invention to incorporate the teaching of Herrington into the system of Maissel to provide the user preferences to enable the user to select past program(s) of episodes or movies for viewing or recording accordingly.

A3.   Claims 73-79, are rejected under 35 U.S.C. 103(a) as being unpatentable over **Maissel et al (6,637,029** in view of **O'Brien et al (6,055,569).**

As to claims 73-79, **Maissel** reference figures 1-3, discloses a subscriber unit for receiving a program schedule, a profile storage unit for storing at least viewer preference, etc., and further discloses a method of using a system with at least one of an audio and a video comprising a plurality of frames comprising:

Detachably inserting a storage medium (160, Diskette or Smart Card, col.14, line 54-col.15, line 16) into a multimedia device (Unit 110, fig.1, col.10, line 22-62), the storage medium storing a preferences description describing preferences of a user with respect to the use of the at least one of audio and video, where the description includes multiple attributes (col.12, line 16-col.14, line 53).

Maissel provides customizes schedule and additional data or supplemental data relating the a subject matter of a particular program and downloads additional data via WWW site on the Internet (col.15, lines 23-37 and col.21, lines 22-47), but fails to teach providing a layer attribute of the preferences description indicating the number of layers of supplemental data auxiliary to the at least one of the audio and video.

However, **O'Brien** discloses in figures 1-3, accelerating web access by predicting a user action which determines which pages to download based of a probability weight to provide a layer attribute of the preferences description indicating the number of layers of supplemental data to download (col.3, line 29-col.4, line 29 and line 52-col.5, line 8)

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of O'Brien into the system of Maissel in order to determine in advance the number of links or web pages or set limits on the number of links or web pages that would be needed to reduce the size or data file to be

retrieve to free up network bandwidth and further increase the data retrieval speed at

the server and also client terminal.

A4.   Claims 2, 3, 5-9, 12-19, 21-25, 27-29, 38-46, 48-54, 56 and 104, are

rejected under 35 U.S.C. 103(a) as being unpatentable over **Sahai et al (6,594,699)** in

view of **Vetro et al (6,542,546)**

As to claims 2-3, note the **Sahai et al** reference figures 1-3, disclose system for

capability based multimedia streaming over a network and further disclose method of

using a system with at least one of an audio, an image, and a video comprising a

plurality of frames comprising the following:

the claimed "providing a preferences description, describing preferences of a

user with respect to the use of said at least one of audio, image…" is met by Client 12

(fig. 1, col. 2, lines 44-64), note that when a user wants to playback any

video/multimedia asset, the request is shipped across to Server 10 via a communication

Network 14, where the shipping of the requested media data, includes Client 12

capabilities (includes hardware type, example TV Set Top, PC, Lap Top, etc.,) and

preferences (C/P) with respect to the audio, image and video, which are stored in

Server 10 for a particular session or for predetermined time period in a static

configuration approach (col. 3, lines 5-25 and col. 4, lines 9-14), note further that the

preference description includes multiple attributes, such as, playback frame rate, bit rate

of the audio and video data to use, the size of the displayed frame, media formats, such

as MPEG1, MPEG2, MJPEG, G723 audio, GSM audio, etc., (col. 3, lines 23-60 and col.
4, lines 9-31);

Server 10, stores each Client 12 capabilities and preferences and provides the
media attribute of the preferences description describing the quality of encoding, such
as MPEG1, MPEG2, MJPEG, G723 audio, GSM audio, etc., of the audio, image and
video before delivering the requested media data (col. 3, lines 23-60 and col. 4, lines
9-31), note that the user can request for audio, video, image, multimedia or media
"audio and video" and the client capabilities, media delivery properties or
preferences/specifications as chosen by the user are also shipped across the server,
processes and delivered accordingly based on the selected preferences/specifications.

Sahai fails to explicitly teach where the selected qualities are based on semantic
content of at least one of audio and video, and where each of the first and second
qualities is respectively associated with at least one type of semantic content of at least
one of the audio, image and video.

However, note the **Vetro** reference figures 1-3, discloses multimedia delivering a
compressed bitstream through a network to a user device, where a Content-network
Device (CND) Manager selects a particular one of a plurality of conversion modes
depending on semantic content of the bitstream and network characteristics, using
different rating to transcode the bitstream with respect to words, sounds, image objects,
scenes, etc., (col.4, lines 15-65, col.5, line 20-col.6, line 6 and line 38-col.7, line 10).

Therefore it would have been obvious to one of ordinary skill in the art at the time
of the invention to incorporate the teaching of Vetro into the system of Sahai in order to

dynamically enhanced the respective segments of the video with different qualities or rate with dynamic scene changes and associated each change with a type of semantic content to provide the user with the best delivery of scene changes or semantic content of the video or bitstream based on user preferences.

As to claims 5-6, Sahai further teaches a first quality and second quality of encoding where the first is less than the second (col. 3, lines 50-60 and col. 4, lines 17-31), note that Server 10 can encode in MPEG1, MPEG2, MJPEG, etc., depending on Client 12 C/P, where one encoding scheme is less than the other and further where the storage results in at least storing less bytes of the first quality encoding of the audio video than the second quality of encoding using digital compression technique (col. 6, lines 12-49).

As to claims 7 and 8, Sahai further discloses selecting the quality of encoding base upon the storage for at least the audio and video and automatically performed by the Server 10 (col. 3, lines 23-31, lines 50-60 and col. 4, lines 17-40).

As to claim 9, Sahai further discloses where the selecting is prompted to the user of the system for selection (col. 5, lines 17-31).

As to claims 12-13, Sahai as modified by Vetro further discloses selecting either the first quality and the second quality based upon the type of content, audio, video clip, video, audio/video, etc., (multimedia streaming) and uses various formats (MPEG1, MPEG2, etc.,) for encoding based on the content and transport mechanism where the Server dynamically adjusts the bit rate before delivering the asset to the client (col. 5,

lines 35-46, col. 6, lines 12-49 and line 57-col.7, line 36), but silent to encoding quality

for specific type of content, such as sports programming, nature programming, etc.,

However, it would have been obvious to one of ordinary skilled artisan to

modified the system of Sahai as modified by Vetro to provide the client with additional

selection preferences of encoding type for any type of content that meets the user's

desire.

As to claims 14-15, further discloses a method where the system automatically

selects first and second quality based upon attributes of preferences description,

system description, a program preferences description, predefined relationships

between a plurality of attributes of the preference descriptions, a program preference

descriptions, system preference descriptions (col. 3, lines 23-60, col. 4, lines 9-40 and

col.6, line 57-col.7, line 9), note that Server 10 upon receiving the various play request

and Client C/P automatically, makes flexible and accurate decisions about the Client

concerning resource allocation for streaming of data and the use of appropriate format

type (MPEG1, MPEG2, etc.,) and network traffic to stream media data according to C/P

As to claim 16, Sahai as modified by Vetro fail to explicitly teach where the

semantic content comprises at least one of actors, stars, director and rating.

However, Examiner takes OFFICIAL NOTICE that actors, stars, etc., are well

know features in video streaming or television. Hence, it would have been obvious to

one of ordinary skill in the art at the time of the invention to modify the system of Sahai

as modified by Vetro to include actors, stars, etc., for the advantage of enhancing the

audio/video with favorite actors, stars, etc., that meets a user's desire or preferences.

Claims 17-19 are met as previously discussed with respect to claims 14-15.

As to claim 21, note the **Sahai et al** reference figures 1-3, disclose system for capability based multimedia streaming over a network and further disclose a system for use with at least one of broadcast of audio and video comprising a plurality of frames comprising:

the claimed "system for receiving said broadcast of at least one of audio and video…" is met by Server 10 (fig. 1, col. 2, lines 44-64), note that Server 10 receives broadcast of audio and video from various servers on the network 14 and stores the received audio and video data, in a storage media, such as a disk (col. 6, lines 50-52); and further receives and stores each Client 12 capabilities and preferences (C/P) (col. 3, lines 5-25 and col. 4, lines 9-14); and selectively encodes at least one of different qualities, MPEG1, MPEG2, MJPEG, G723 audio, GSM audio, etc., (col. 3, lines 23-60 and col. 4, lines 9-31) of the received broadcast of at least the audio and video for storage on Storage Media, such as a disk to enable a Client to access and retrieve the media data based on the Client C/P (col. 6, lines 12-49), note that the user can request for audio, video, image, multimedia or media "audio and video" and the client capabilities, media delivery properties or preferences/specifications as chosen by the user are also shipped across the server, processes and delivered accordingly based on the selected preferences/specifications.

Sahai fails to explicitly teach where the selected qualities are based on semantic content of at least one of audio and video.

However, note the **Vetro** reference figures 1-3, discloses multimedia delivering a compressed bitstream through a network to a user device, where a Manager selects a particular one of a plurality of conversion modes depending on semantic content of the bitstream and network characteristics, using different rating to transcode the bitstream with respect to words, sounds, image objects, scenes, etc., (col.4, lines 15-65, col.5, line 20-col.6, line 6 and line 38-col.7, line 10).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Vetro into the system of Sahai in order to dynamically enhanced the video quality or rate with dynamic scene changes and provide the user with the best delivery of scene changes or semantic content of the video or bitstream based on user preferences.

Sahai as modified by Vetro fail to explicitly teach where the semantic content comprises at least one of actors, stars, director and rating.

However, Examiner takes OFFICIAL NOTICE that actors, stars, etc., are well know features in video streaming or television. Hence, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Sahai as modified by Vetro to include actors, stars, etc., for the advantage of enhancing the audio/video with favorite actors, stars, etc., that meets a user's desire or preferences

Claim 22 is met as previously discussed with respect to claim 5.

Claim 23 is met as previously discussed with respect to claim 7.

Claim 24 is met as previously discussed with respect to claim 8.

Claim 25 is met as previously discussed with respect to claim 9.

Claim 27 is met as previously discussed with respect to claim 16.

As to claim 28, Sahai further discloses automatically selecting either the first quality, and the second quality based upon user preferences (col.4, lines 9-27, col.5, lines 4-6, col.6, lines 12-49 and line 57-col.7, line 36).

As to claim 29, Sahai further discloses automatically selecting either the first quality and the second quality, based at least audio and video upon (col.4, lines 9-27, col.5, lines 4-6, col.6, lines 12-49 and line 57-col.7, line 36).

As to claim 38, the claimed method is composed of the same structural elements that were discussed in the rejection of claim 2; the claimed "providing a storage attribute of the preferences description…" is met by Storage Media or Disk of Server 10 (col. 6, lines 50-52) which stores Client C/P, and where Server 10 encodes the audio and video based upon the content of at least one of audio and video.

As to claims 39-42, Sahai as modified by Vetro further discloses selecting either the first quality and the second quality based upon the type of content, audio, video clip, video, audio/video, etc., (multimedia streaming) and uses various formats (MPEG1, MPEG2, etc.,) for encoding based on the content and transport mechanism, where the Server dynamically adjusts the bit rate before delivering the asset to the client (col. 5, lines 35-46, col. 6, lines 12-49 and line 57-col.7, line 36), but silent to selecting a third quality of encoding and selecting encoding a specific type of content, such as sports programming, nature programming, etc.,

However, it would have been obvious to one of ordinary skilled artisan to modified the system of Sahai as modified by Vetro select from any number of encoding

qualities to meet the capabilities/preferences of the client device and furthermore to

provide the client with additional selection preferences of encoding type for any type or

specific type of content upon a user request meets the user's desired.

Claim 43 is met as previously discussed with respect to claim 14.

Claim 44 is met as previously discussed with respect to claim 17.

Claim 45 is met as previously discussed with respect to claim 18.

Claim 46 is met as previously discussed with respect to claim 19.

Claim 48 is met as previously discussed with respect to claim 8.

As to claim 49, the claimed method is composed of the same structural elements

that were discussed in the rejection of claim 2; the claimed "providing a storage attribute

of the preferences description…" is met by Storage Media or Disk of Server 10 (col. 6,

lines 50-52) which stores Client C/P, and where Server 10 encodes the audio and video

based upon the combination of at least capabilities and the preferences description (col.

6, lines 12-49).

Claims 50-51 are met as previously discussed with respect to claims 39-40.

Claim 52 is met as previously discussed with respect to claim 29.

Claim 53 is met as previously discussed with respect to claim 18.

Claim 54 is met as previously discussed with respect to claim 19.

Claim 56 is met as previously discussed with respect to claim 8.

Claim 104 is met as previously discussed with respect to claim 2.

A5.   Claims 20, 30, 47, 55, 57-60 are rejected under 35 U.S.C. 103(a) as being

unpatentable over **Sahai et al (6,594,699)** in view of **Vetro et al (6,542,546)** and further

in view of **Tracton et al (6,470,378).**

As to claim 20, Sahai as modified by Vetro, teach all the claimed limitations as

previously discussed with respect to claim 2 above, but fail to explicitly teach selecting

the first quality and second quality, based upon prior selections of the first quality.

However, **Tracton** reference figures 1-3, discloses dynamic content

customization in a client/server environment where selected qualities are based upon

prior selection of qualities (col.5, line 30-col.6, line 7).

Therefore it would have been obvious to one of ordinary skill in the art at the time

of the invention to incorporate the teaching of Tracton into the system of Sahai to stored

history or profile of previously selections of devices in order to speed-up data

processing at the server.

As to claim 30, Sahai as modified by Vetro, teaches all the claimed limitations as

previously discussed with respect to claim 22 above, but fail to explicitly teach selecting

the first quality and second quality, based upon prior selections of the first quality, which

is met as previously discussed with respect to claim 20.

As to claim 47, Sahai as modified by Vetro, teaches all the claimed limitations as

previously discussed with respect to claim 39 above, but fail to explicitly teach selecting

the first quality and second quality, based upon prior selections of the first quality, which

is met as previously discussed with respect to claim 20.

As to claim 55, Sahai as modified by Vetro, teaches all the claimed limitations as previously discussed with respect to claim 50 above, but fail to explicitly teach selecting the first quality and second quality, based upon prior selections of the first quality, which is met as previously discussed with respect to claim 20.

As to claims 57-60, note the **Sahai et al** reference figures 1-3, disclose system for capability based multimedia streaming over a network and further disclose method of using a system with at least one of an audio, an image, and a video comprising a plurality of frames comprising the following:

the claimed "providing a preferences description, describing preferences of a user with respect to the use of said at least one of audio, image…" is met by Client 12 (fig. 1, col. 2, lines 44-64), note that when a user wants to playback any video/multimedia asset, the request is shipped across to Server 10 via a communication Network 14, where the shipping of the requested media data, includes Client 12 capabilities (includes hardware type, example TV Set Top, PC, Lap Top, etc.,) and preferences (C/P) with respect to the audio, image and video, which are stored in Server 10 for a particular session or for predetermined time period in a static configuration approach (col. 3, lines 5-25 and col. 4, lines 9-14), note further that the preference description includes multiple attributes, such as, playback frame rate, bit rate of the audio and video data to use, the size of the displayed frame, media formats, such as MPEG1, MPEG2, MJPEG, G723 audio, GSM audio, etc., (col. 3, lines 23-60 and col. 4, lines 9-31);

Server 10, stores each Client 12 capabilities and preferences and provides the media attribute of the preferences description describing the quality of encoding, such as MPEG1, MPEG2, MJPEG, G723 audio, GSM audio, etc., of the audio, image and video before delivering the requested media data (col. 3, lines 23-60 and col. 4, lines 9-31), note that the user can request for audio, video, image, multimedia or media "audio and video" and the client capabilities, media delivery properties or preferences/specifications as chosen by the user are also shipped across the server, processes and delivered accordingly based on the selected preferences/specifications.

Sahai fails to explicitly teach where the selected qualities based upon prior selection of qualities

However, **Tracton** reference figures 1-3, discloses dynamic content customization in a client/server environment where selected qualities are based upon prior selection of qualities (col.5, line 30-col.6, line 7).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Tracton into the system of Sahai to stored history or profile of previously selection of devices in order to speed-up data processing at the server.

A6.   Claims 94-103, are rejected under 35 U.S.C. 103(a) as being unpatentable over **Sahai et al (6,594,699)** in view of **Osawa et al (5,956,037).**

As to claims 94-103, note the **Sahai et al** reference figures 1-3, disclose system for capability based multimedia streaming over a network and further disclose method of

using a system with at least one of an audio, an image, and a video comprising a

plurality of frames comprising the following:

the claimed "providing a preferences description, describing preferences of a

user with respect to the use of said at least one of audio, image…" is met by Client 12

(fig. 1, col. 2, lines 44-64), note that when a user wants to playback any

video/multimedia asset, the request is shipped across to Server 10 via a communication

Network 14, where the shipping of the requested media data, includes Client 12

capabilities (includes hardware type, example TV Set Top, PC, Lap Top, etc.,) and

preferences (C/P) with respect to the audio, image and video, which are stored in

Server 10 for a particular session or for predetermined time period in a static

configuration approach (col. 3, lines 5-25 and col. 4, lines 9-14), note further that the

preference description includes multiple attributes, such as, playback frame rate, bit rate

of the audio and video data to use, the size of the displayed frame, media formats, such

as MPEG1, MPEG2, MJPEG, G723 audio, GSM audio, etc., (col. 3, lines 23-60 and col.

4, lines 9-31);

Server 10, stores each Client 12 capabilities and preferences and provides the

media attribute of the preferences description describing the quality of encoding, such

as MPEG1, MPEG2, MJPEG, G723 audio, GSM audio, etc., of the audio, image and

video before delivering the requested media data (col. 3, lines 23-60 and col. 4, lines

9-31), note that the user can request for audio, video, image, multimedia or media

"audio and video" and the client capabilities, media delivery properties or

preferences/specifications as chosen by the user are also shipped across the server, processes and delivered accordingly based on the selected preferences/specifications.

Sahai fails to explicitly teach where the selected qualities are based on VCR-like functions, such as: pausing, fast-forwarding, reversing or rewinding, skipping, etc., of the content of at least one of audio and video.

However, **Osawa** discloses in figures 1-3, a video information providing/receiving system where the providing unit (Host 208) includes video information editing unit (211), which edits video based on extracted operation history information of User Terminal (UT) 200, which includes various VCR-like functions and further teaches using previous operation history to playback other video (col.2, lines 43-52, col.3, line 62-col.4, line 24, line 37-col.5, line 19 and col.7, line 26-col.8, line 1+ and col.11, lines 27-63).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Osawa into the system of Sahai to edit the video and audio information based on operation history or VCR-like functions of the user, thereby when a user edits/processes received video information with his or her video recoding unit, he or she should perform the required operations while seeing the display.

A7.   Claims 94-103, are rejected under 35 U.S.C. 103(a) as being unpatentable over **Sahai et al (6,594,699)** in view of **Osawa et al (5,956,037).**

.   10.   Claims 10 and 26 are rejected under 35 U.S.C. 103(a) as being
unpatentable over **Sahai et al (6,594,699)** in view of **Vetro et al (6,542,546)** as applied
to claims 5 and 22, above and further in view of **Osawa et al (5,956,037).**

As to claims 10 and 26, Sahai as modified by Vetro, fail to explicitly teach where
the selected qualities are based on VCR-like functions, such as: pausing, fast-
forwarding, reversing or rewinding, skipping, etc., of the content of at least one of audio
and video.

However, **Osawa** discloses in figures 1-3, a video information providing/receiving
system where the providing unit (Host 208) includes video information editing unit (211),
which edits video based on extracted operation history information of User Terminal
(UT) 200, which includes various VCR-like functions and further teaches using previous
operation history to playback other video (col.2, lines 43-52, col.3, line 62-col.4, line 24,
line 37-col.5, line 19 and col.7, line 26-col.8, line 1+ and col.11, lines 27-63).

Therefore it would have been obvious to one of ordinary skill in the art at the time
of the invention to incorporate the teaching of Osawa into the system of Sahai as
modified by Vetro to edit the video and audio information based on operation history or
VCR-like functions of the user, thereby when a user edits/processes received video
information with his or her video recoding unit, he or she should perform the required
operations while seeing the display.

A8.   Claims 31-37, are rejected under 35 U.S.C. 103(a) as being unpatentable over **Sahai et al (6,594,699)** in view of **Osawa et al (5,956,037),** and further in view of **Vetro et al (6,542,546).**

As to claims 31-37, note the **Sahai et al** reference figures 1-3, disclose system for capability based multimedia streaming over a network and further disclose method of using a system with at least one of an audio, an image, and a video comprising a plurality of frames comprising the following:

the claimed "providing a preferences description, describing preferences of a user with respect to the use of said at least one of audio, image…" is met by Client 12 (fig. 1, col. 2, lines 44-64), note that when a user wants to playback any video/multimedia asset, the request is shipped across to Server 10 via a communication Network 14, where the shipping of the requested media data, includes Client 12 capabilities (includes hardware type, example TV Set Top, PC, Lap Top, etc.,) and preferences (C/P) with respect to the audio, image and video, which are stored in Server 10 for a particular session or for predetermined time period in a static configuration approach (col. 3, lines 5-25 and col. 4, lines 9-14), note further that the preference description includes multiple attributes, such as, playback frame rate, bit rate of the audio and video data to use, the size of the displayed frame, media formats, such as MPEG1, MPEG2, MJPEG, G723 audio, GSM audio, etc., (col. 3, lines 23-60 and col. 4, lines 9-31);

Server 10, stores each Client 12 capabilities and preferences and provides the media attribute of the preferences description describing the quality of encoding, such

as MPEG1, MPEG2, MJPEG, G723 audio, GSM audio, etc., of the audio, image and

video before delivering the requested media data (col. 3, lines 23-60 and col. 4, lines

9-31), note that the user can request for audio, video, image, multimedia or media

"audio and video" and the client capabilities, media delivery properties or

preferences/specifications as chosen by the user are also shipped across the server,

processes and delivered accordingly based on the selected preferences/specifications.

Sahai fails to explicitly teach where the selected qualities are based on VCR-like

functions, such as: pausing, fast-forwarding, reversing or rewinding, skipping, etc., of

the content of at least one of audio and video.

However, **Osawa** discloses in figures 1-3, a video information providing/receiving

system where the providing unit (Host 208) includes video information editing unit (211),

which edits video based on extracted operation history information of User Terminal

(UT) 200, which includes various VCR-like functions (col.2, lines 43-52, col.3, line 62-

col.4, line 24, line 37-col.5, line 19 and col.7, line 26-col.8, line 1+).

Therefore it would have been obvious to one of ordinary skill in the art at the time

of the invention to incorporate the teaching of Osawa into the system of Sahai to edit

the video and audio information based on operation history or VCR-like functions of the

user, thereby when a user edits/processes received video information with his or her

video recoding unit, he or she should perform the required operations while seeing the

display.

Sahai as modified by Osawa fail to explicitly teach where the selected qualities

are based on semantic content of at least one of audio and video, and where each of

the first and second qualities is respectively associated with at least one type of

semantic content of at least one of the audio, image and video.

However, note the **Vetro** reference figures 1-3, discloses multimedia delivering a

compressed bitstream through a network to a user device, where a Content-network

Device (CND) Manager selects a particular one of a plurality of conversion modes

depending on semantic content of the bitstream and network characteristics, using

different rating to transcode the bitstream with respect to words, sounds, image objects,

scenes, etc., (col.4, lines 15-65, col.5, line 20-col.6, line 6 and line 38-col.7, line 10).

Therefore it would have been obvious to one of ordinary skill in the art at the time

of the invention to incorporate the teaching of Vetro into the system of Sahai as

modified by Osawa in order to dynamically enhanced the respective segments of the

video with different qualities or rate with dynamic scene changes and associated each

change with a type of semantic content to provide the user with the best delivery of

scene changes or semantic content of the video or bitstream based on user

preferences.

A9.   Claims 89-93, are rejected under 35 U.S.C. 103(a) as being unpatentable

over **Sahai et al (6,594,699)** in view of **Vetro et al (6,542,546),** and further in view of

O'Brien et al (6,055,569).

As to claims 89-93, note the **Sahai et al** reference figures 1-3, disclose system

for capability based multimedia streaming over a network and further disclose method of

using a system with at least one of an audio, an image, and a video comprising a

plurality of frames comprising the following:

the claimed "providing a preferences description, describing preferences of a

user with respect to the use of said at least one of audio, image…" is met by Client 12

(fig. 1, col. 2, lines 44-64), note that when a user wants to playback any

video/multimedia asset, the request is shipped across to Server 10 via a communication

Network 14, where the shipping of the requested media data, includes Client 12

capabilities (includes hardware type, example TV Set Top, PC, Lap Top, etc.,) and

preferences (C/P) with respect to the audio, image and video, which are stored in

Server 10 for a particular session or for predetermined time period in a static

configuration approach (col. 3, lines 5-25 and col. 4, lines 9-14), note further that the

preference description includes multiple attributes, such as, playback frame rate, bit rate

of the audio and video data to use, the size of the displayed frame, media formats, such

as MPEG1, MPEG2, MJPEG, G723 audio, GSM audio, etc., (col. 3, lines 23-60 and col.

4, lines 9-31);

Server 10, stores each Client 12 capabilities and preferences and provides the

media attribute of the preferences description describing the quality of encoding, such

as MPEG1, MPEG2, MJPEG, G723 audio, GSM audio, etc., of the audio, image and

video before delivering the requested media data (col. 3, lines 23-60 and col. 4, lines

9-31), note that the user can request for audio, video, image, multimedia or media

"audio and video" and the client capabilities, media delivery properties or

preferences/specifications as chosen by the user are also shipped across the server,
processes and delivered accordingly based on the selected preferences/specifications.

Sahai fails to explicitly teach where the selected qualities are based on semantic
content of at least one of audio and video.

However, note the **Vetro** reference figures 1-3, discloses multimedia delivering a
compressed bitstream through a network to a user device, where a Content-network
Device (CND) Manager selects a particular one of a plurality of conversion modes
depending on semantic content of the bitstream and network characteristics, using
different rating to transcode the bitstream with respect to words, sounds, image objects,
scenes, etc., (col.4, lines 15-65, col.5, line 20-col.6, line 6 and line 38-col.7, line 10).

Therefore it would have been obvious to one of ordinary skill in the art at the time
of the invention to incorporate the teaching of Vetro into the system of Sahai in order to
dynamically enhanced the video quality or rate with dynamic scene changes and
provide the user with the best delivery of scene changes or semantic content of the
video or bitstream based on user preferences.

Sahai as modified by Vetro, fail to explicitly teach determining the number of
layers of supplemental data auxiliary to the at least one of the audio and video based at
least in part upon the content attribute and the type attribute.

However, **O'Brien** discloses in figures 1-3, accelerating web access by predicting
a user action which determines which pages to download based of a probability weight
to provide a layer attribute of the preferences description indicating the number of layers
of supplemental data to download (col.3, line 29-col.4, line 29 and line 52-col.5, line 8)

Therefore it would have been obvious to one of ordinary skill in the art at the time

of the invention to incorporate the teaching of O'Brien into the system of Sahai as

modified by Vetro in order to determine in advance the number links or web pages and

set limits on the number of links or web pages that would be needed to reduce the size

or data file to be retrieve to free up network bandwidth and further increase the data

retrieval speed at the server and also client terminal.

(10) Response to Argument

1.   With respect to claims 61-70, 72, rejected under 35 U.S.C. 102(e) as

being anticipated by **Maissel et al (6,637,029),** Appellant argues that, the limitations "a

storage selectively detachably insertable…" is not disclosed by the cited reference (see

page 11 of 40 of Appellant's Brief).

In response, Examiner disagrees. Examiner notes appellant's arguments

however, Appellant's arguments are directed to specific units. Maissel teaches that "the

apparatus" of fig.1 comprises an interface unit 110, VCR, DVCR, DVD, etc. (col.10, line

22-62). Appellant's recording device is met by Apparatus of fig.1, i.e.,

(110/100/120/130/140/VCR, DVCR, DVD, etc coupled to each other) is a recording

apparatus and meets all the claim limitations. Nothing in appellant's claims precludes

these storage units for being considered part of the apparatus. Moreover, Maissel does

not say "stand alone VCR".

Maissel further discloses customizing and storing a user's preferences (based

upon a user's request, extracted viewing information, etc.,) on storage 160, e.g.,

diskette, smart card, etc. The customization of the preferences data includes time to

obtain one of audio and video (additional or related materials, e.g., previews, EPG,

material which might help clarify to the user, etc., of the audio and video) prior to the

schedule time of the at least one audio and video. Furthermore, additional materials

may be provided upon request after the schedule time of the audio and video (col.8, line

46-col.9, line 15, col.19, line 58-col.20, line 17 and col.21, lines 22-64). Hence the

rejection is proper, meets all the claim limitations and should be sustained.

As to claim 71 rejected under 35 U.S.C. 103(a) as being unpatentable over

Maissel et al (6,637,029 in view of **Herrington et al (6,865,746),** Maissel is silent as to

where the programs includes sports program. However, this deficiency is disclosed in

Herrington (figs.3-7, col.5, lines 50-61 and col.7, lines 7-12). Hence the rejection is

proper, meets all the claim limitations and should be sustained.

With respect to claims 108-118, rejected under 35 U.S.C. 103(a) as being

unpatentable over **Maissel et al (6,637,029** in view of **Herrington et al (6,865,746),**

Appellant discusses the prior arts of record individual and further argues that the

combination is not proper (see page 12 of 40, of Appellant's Brief).

As to claims 108-118, Appellant's arguments are not persuasive, Maissel meets

all the claim limitation as discussed above with respect to claim 61, but silent to

preference description describing the creation date of at least one of audio and video.

However, **Herrington** discloses a system for providing user preference to TV programs

where the preferences description with respect to various programs including, sports,

episodes of the program (figs.3-7, col.5, lines 50-61 and col.7, line 7-12) and further

discloses providing user preference to TV programs where the preferences description

describes the production year of program, and its used to select a desired number of

episodes among a plurality of episodes of the program (figs.3-7, col.6, line 17-38, col.7,

line 38-53 and col.10, line 15-28). Hence the combination is proper, meets all the claim

limitations and should be sustained.

With respect to claims 73-79, rejected under 35 U.S.C. 103(a) as being

unpatentable over **Maissel et al (6,637,029** in view of **O'Brien et al (6,055,569),**

Appellant further discusses the individual references and argues that the combining

reference do not meet the claim limitations (see page 13 of 40, of Appellant's Brief).

In response, Examiner disagrees. Examiner notes Appellant's arguments,

however, Maissel teaches all the claim limitations as discussed above with respect to

claim 61, but silent to providing a layer attribute of the preferences description indicating

the number of layers of supplemental data auxiliary to the at least one of the audio and

video. However, this deficiency in Maissel is disclosed in O'Brien, which provides

preferences as to the number of layers of supplemental data to download to a user after

predicting the user's action (col.3, line 29-col.4, line 29 and line 52-col.5, line 8). Hence

combining the references is proper and would be within the knowledge of one skill in the

art. Hence the combination is proper, meets all the claim limitations and should be

sustained.

With respect to claims 89-93, rejected under 35 U.S.C. 103(a) as being unpatentable over **Sahai et al (6,594,699)** in view of **Vetro et al (6,542,546),** and further in view of **O'Brien et al (6,055,569),** appellant further presents similar arguments, that combining reference do not meet the claim limitations (see page 15 of 40, of Appellant's Brief).

In response, Examiner disagrees. Examiner notes Appellant's argues, however **Sahai**, discloses in figures 1-3, a system for capability based multimedia streaming over a network and further disclose method of using a system with at least one of an audio, an image, and a video comprising a plurality of frames comprising: providing a preferences description, describing preferences of a user with respect to the use of at least one of audio, image…" Client 12 (fig. 1, col. 2, lines 44-64). As illustrated in the disclosure, when a user wants to playback any video/multimedia asset, the request is shipped across to Server 10 via a communication Network 14, where the shipping of the requested media data, includes Client 12 capabilities (includes hardware type, example TV Set Top, PC, Lap Top, etc.,) and preferences (C/P) with respect to the audio, image and video, which are stored in Server 10 for a particular session or for predetermined time period in a static configuration approach (col. 3, lines 5-25 and col. 4, lines 9-14), the preference description includes multiple attributes, such as, playback frame rate, bit rate of the audio and video data to use, the size of the displayed frame, media formats, such as MPEG1, MPEG2, MJPEG, G723 audio, GSM audio, etc., (col. 3, lines 23-60 and col. 4, lines 9-31); Sahai further discloses that, Server 10, stores each Client 12 capabilities and preferences/specifications (as chosen by the user) and provides the

media attribute of the preferences description describing the quality of encoding, such

as MPEG1, MPEG2, MJPEG, G723 audio, GSM audio, etc., of the audio, image and

video before delivering the requested media data (col. 3, lines 23-60 and col. 4, lines 9-

31). Sahai is silent as to where the selected qualities are based on semantic content of

at least one of audio and video. However, in the same field of endeavor **Vetro** discloses

in figures 1-3, a multimedia delivering a compressed bitstream through a network to a

user device, where a Content-network Device (CND) Manager selects a particular one

of a plurality of conversion modes depending on semantic content of the bitstream and

network characteristics, using different rating to transcode the bitstream with respect to

words, sounds, image objects, scenes, etc., (col.4, lines 15-65, col.5, line 20-col.6, line

6 and line 38-col.7, line 10). Sahai as modified by Vetro is silent as to determining the

number of layers of supplemental data auxiliary to the at least one of the audio and

video based at least in part upon the content attribute and the type attribute. However,

O'Brien discloses in figures 1-3, accelerating web access by predicting a user action

which determines which pages to download based of a probability weight to provide a

layer attribute of the preferences description indicating the number of layers of

supplemental data to download (col.3, line 29-col.4, line 29 and line 52-col.5, line 8).

Hence the combination is proper, meets all the claim limitations and should be

sustained.

   With respect to claims 2, 3, 5-10, and 12-20, and 38-60) as either being

unpatentable over the combination of **Sahai** in view of **Vetro**, or unpatentable over the

combination of **Sahai** and **Vetro**, and further in view of either **Osawa** (claim 10) or

Tracton (claims 20, 47, 55, and 57-60), Appellant provides various arguments and

states that "...one skill in the art would not find it obvious to modify Sahai..."(see page

16 of 40 of Appellant's Brief).

In response, Examiner notes Appellant's arguments, however, the Examiner

disagrees. As to the claims rejected under 103(a) as being unpatentable over Sahai in

view of Vetro, **Sahai**, discloses in figures 1-3, a system for capability based multimedia

streaming over a network and further disclose method of using a system with at least

one of an audio, an image, and a video comprising a plurality of frames comprising:

providing a preferences description, describing preferences of a user with respect to the

use of at least one of audio, image…" Client 12 (fig. 1, col. 2, lines 44-64). As illustrated

in the disclosure, when a user wants to playback any video/multimedia asset, the

request is shipped across to Server 10 via a communication Network 14, where the

shipping of the requested media data, includes Client 12 capabilities (includes hardware

type, example TV Set Top, PC, Lap Top, etc.,) and preferences (C/P) with respect to

the audio, image and video, which are stored in Server 10 for a particular session or for

predetermined time period in a static configuration approach (col. 3, lines 5-25 and col.

4, lines 9-14), the preference description includes multiple attributes, such as, playback

frame rate, bit rate of the audio and video data to use, the size of the displayed frame,

media formats, such as MPEG1, MPEG2, MJPEG, G723 audio, GSM audio, etc., (col.

3, lines 23-60 and col. 4, lines 9-31); Sahai further discloses that, Server 10, stores

each Client 12 capabilities and preferences/specifications (as chosen by the user) and

provides the media attribute of the preferences description describing the quality of

encoding, such as MPEG1, MPEG2, MJPEG, G723 audio, GSM audio, etc., of the

audio, image and video before delivering the requested media data (col. 3, lines 23-60

and col. 4, lines 9-31). Sahai is silent as to where the selected qualities are based on

semantic content of at least one of audio and video. However, in the same field of

endeavor **Vetro** discloses in figures 1-3, a multimedia delivering a compressed

bitstream through a network to a user device, where a Content-network Device (CND)

Manager selects a particular one of a plurality of conversion modes depending on

semantic content of the bitstream and network characteristics, using different rating to

transcode the bitstream with respect to words, sounds, image objects, scenes, etc.,

(col.4, lines 15-65, col.5, line 20-col.6, line 6 and line 38-col.7, line 10). The combination

further meets the all the claim limitations of claims 38-46 and 48-54 and 56 as

discussed in the office action. Hence the combination is proper, meets all the claim

limitations and should be sustained.

As to claims 57-60, Sahai as modified by Vetro, teach all the claimed limitations,

but fail to explicitly teach selecting the first quality and second quality, based upon prior

selections of the first quality. However, in the same field of endeavor, **Tracton** discloses

dynamic content customization in a client/server environment where selected qualities

are based upon prior selection of qualities (col.5, line 30-col.6, line 7). Hence the

combination is proper, meets all the claim limitations and should be sustained.

As to claims 21-26 and 28-30, rejected under 103(a) as either being unpatentable over **Sahai** in view of **Vetro**, or unpatentable over the combination of **Sahai** and **Vetro**, and further in view of either **Osawa** (claim 26 or **Tracton** (claims 30), Appellant further argues that the combination is not proper, that "The Examiner's rationale is flawed" that "…Vetro teaches against the Examiner's purported…"(see page 18 of 40 of Appellant's Brief).

In response, Examiner notes Appellant's arguments, however, the Examiner disagrees. As discussed above with respect to claim 2, Sahai in view of Vetro teach all the claim limitations, but silent as to semantic content comprise at least one of actors, stars, director and rating. However these features are well known in video streaming or television. Hence the combination is proper, meets all the claim limitations including 22-26 and 28-30, and should be sustained.

As to claim 104, rejected under 103(a) as either being unpatentable over **Sahai** in view of **Vetro**, Appellant further recites the claims and argues that the rejection is not proper (see page 19 of 40 of Appellant's Brief).

In response, Examiner notes Appellant's arguments, however, the Examiner disagrees. As discussed above with respect to claim 2, Sahai in view of Vetro teach all the claim limitations, including encoding at different rates as also discussed in the office action above. Hence the combination is proper, meets all the claim limitations including 22-26 and 28-30, and should be sustained.

As to claims 94-103, rejected under 35 U.S.C. 103(a) as being unpatentable over **Sahai et al (6,594,699)** in view of **Osawa et al (5,956,037),** Appellant further presents similar arguments that that combining reference do not meet the claim limitations (see page 20 of 40 of Appellant's Remarks).

In response, Examiner disagrees. Examiner notes Appellant's argues, however, **Sahai** discloses a system for capability based multimedia streaming over a network and further disclose method of using a system with at least one of an audio, an image, and a video comprising a plurality of frames comprising: providing a preferences description, describing preferences of a user with respect to the use of said at least one of audio, image Client 12 (fig. 1, col. 2, lines 44-64). As illustrated in the disclosure, when a user wants to playback any video/multimedia asset, the request is shipped across to Server 10 via a communication Network 14, where the shipping of the requested media data, includes Client 12 capabilities (includes hardware type, example TV Set Top, PC, Lap Top, etc.,) and preferences (C/P) with respect to the audio, image and video, which are stored in Server 10 for a particular session or for predetermined time period in a static configuration approach (col. 3, lines 5-25 and col. 4, lines 9-14), the preference description includes multiple attributes, such as, playback frame rate, bit rate of the audio and video data to use, the size of the displayed frame, media formats, such as MPEG1, MPEG2, MJPEG, G723 audio, GSM audio, etc., (col. 3, lines 23-60 and col. 4, lines 9-31); Sahai further discloses that, Server 10, stores each Client 12 capabilities and preferences/specifications (as chosen by the user) and provides the media attribute of the preferences description describing the quality of encoding, such as MPEG1,

MPEG2, MJPEG, G723 audio, GSM audio, etc., of the audio, image and video before

delivering the requested media data (col. 3, lines 23-60 and col. 4, lines 9-31). Sahai is

silent where the selected qualities are based on VCR-like functions, such as: pausing,

fast-forwarding, reversing or rewinding, skipping, etc., of the content of at least one of

audio and video. However, **Osawa** discloses in figures 1-3, a video information

providing/receiving system where the providing unit (Host 208) includes video

information editing unit (211), which edits video based on extracted operation history

information of User Terminal (UT) 200, which includes various VCR-like functions (col.2,

lines 43-52, col.3, line 62-col.4, line 24, line 37-col.5, line 19 and col.7, line 26-col.8, line

1+). Hence the combination is proper, meets all the claim limitations and should be

sustained.

As to Claims 31-37, are rejected under 35 U.S.C. 103(a) as being unpatentable

over **Sahai et al (6,594,699)** in view of **Osawa et al (5,956,037),** and further in view of

Vetro et al (6,542,546), Appellant further argues that the rejection is not proper (see

page 21 of 40 of Appellant Brief).

In response, Examiner disagrees. Examiner notes Appellant's argues, however,

Sahai discloses a system for capability based multimedia streaming over a network and

further disclose method of using a system with at least one of an audio, an image, and a

video comprising a plurality of frames comprising: providing a preferences description,

describing preferences of a user with respect to the use of said at least one of audio,

image Client 12 (fig. 1, col. 2, lines 44-64). As illustrated in the disclosure, when a user

wants to playback any video/multimedia asset, the request is shipped across to Server

10 via a communication Network 14, where the shipping of the requested media data,

includes Client 12 capabilities (includes hardware type, example TV Set Top, PC, Lap

Top, etc.,) and preferences (C/P) with respect to the audio, image and video, which are

stored in Server 10 for a particular session or for predetermined time period in a static

configuration approach (col. 3, lines 5-25 and col. 4, lines 9-14), the preference

description includes multiple attributes, such as, playback frame rate, bit rate of the

audio and video data to use, the size of the displayed frame, media formats, such as

MPEG1, MPEG2, MJPEG, G723 audio, GSM audio, etc., (col. 3, lines 23-60 and col. 4,

lines 9-31); Sahai further discloses that, Server 10, stores each Client 12 capabilities

and preferences/specifications (as chosen by the user) and provides the media attribute

of the preferences description describing the quality of encoding, such as MPEG1,

MPEG2, MJPEG, G723 audio, GSM audio, etc., of the audio, image and video before

delivering the requested media data (col. 3, lines 23-60 and col. 4, lines 9-31). Sahai is

silent where the selected qualities are based on VCR-like functions, such as: pausing,

fast-forwarding, reversing or rewinding, skipping, etc., of the content of at least one of

audio and video. However, **Osawa** discloses in figures 1-3, a video information

providing/receiving system where the providing unit (Host 208) includes video

information editing unit (211), which edits video based on extracted operation history

information of User Terminal (UT) 200, which includes various VCR-like functions (col.2,

lines 43-52, col.3, line 62-col.4, line 24, line 37-col.5, line 19 and col.7, line 26-col.8, line

1+). Sahai as modified by Osawa fail to explicitly teach where the selected qualities are

based on semantic content of at least one of audio and video, and where each of the

first and second qualities is respectively associated with at least one type of semantic

content of at least one of the audio, image and video. However, note the **Vetro**

reference figures 1-3, discloses multimedia delivering a compressed bitstream through

a network to a user device, where a Content-network Device (CND) Manager selects a

particular one of a plurality of conversion modes depending on semantic content of the

bitstream and network characteristics, using different rating to transcode the bitstream

with respect to words, sounds, image objects, scenes, etc., (col.4, lines 15-65, col.5,

line 20-col.6, line 6 and line 38-col.7, line 10). Hence the combination is proper, meets

all the claim limitations and should be sustained

(11) Related Proceeding(s) Appendix

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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